

HOUSE BILL No. 1116

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-18-2-3.

Synopsis: Alcohol sales at inns on state owned land. Allows the department of natural resources to permit, in the terms of a lease or contract concerning state owned land under the management and control of the department, the retail sale of alcoholic beverages for consumption on the licensed premises of an inn if the lessee or concessionaire applies for and secures the necessary permits. (Current law allows only for a lease or contract that concerns federally owned land under the control and management of the department.)

Effective: July 1, 2014.

Dermody, GiaQuinta

January 9, 2014, read first time and referred to Committee on Public Policy.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1116

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 14-18-2-3, AS AMENDED BY P.L.71-2012,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 3. (a) As used in this section, "inn" means a public
4 facility that has the following:
5 (1) At least twenty (20) rooms for the accommodation of
6 overnight guests.
7 (2) A dining room that offers table service for at least forty (40)
8 individuals at one (1) time during normal dining hours.
9 (b) A lease and contract authorized by this chapter must include in
10 its terms the following provisions and conditions:
11 (1) The legal description of the leasehold. A survey for the
12 description is not required.
13 (2) The term of the lease. The term may not exceed forty (40)
14 years with two (2) additional options to renew of thirty (30) years
15 each.
16 (3) Provision for the submission of complete plans and



specifications to the department for review and written approval before beginning any construction.

(4) The manner of payment of rental.

(5) The facilities provided will be available to the public without discrimination and at charges designed to make the facilities available to a maximum number of the citizens of Indiana.

(6) That the rates and fees charged for goods and services on the leased area will be in accord with those charged at similar developments in the area.

(7) The disposition of the leasehold and improvements at the termination of the lease.

(8) Except as provided in ~~subsection~~ **subsections (c) and (e)**, if the lease and contract concerns state owned land under the management and control of the department, including state parks, a prohibition on the sale or public display of alcoholic beverages on the premises.

(c) A lease and contract authorized by this chapter may permit in its terms the retail sale of alcoholic beverages for consumption on the licensed premises of an inn if

~~(1) the lease and contract concerns federally owned land under the control and management of the department; and~~

~~(2) the lessee or concessionaire applies for and secures the necessary permits required by IC 7.1.~~

(d) A lease and contract authorized by this chapter may permit in its terms the retail sale of alcoholic beverages for consumption on the licensed premises of a public golf course if:

(1) the lease and contract concerns federally owned land that is:

(A) under the control and management of the department; and

(B) located on Brookville Reservoir; and

(2) the lessee or concessionaire applies for and secures the necessary permits required by IC 7.1.

(e) A lease and contract authorized by this chapter may permit in its terms the retail sale of alcoholic beverages for consumption on the licensed premises of a pavilion located within Indiana Dunes State Park if the lessee or concessionaire applies for and secures the necessary permits required by IC 7.1.

(f) The retail sale of alcoholic beverages on licensed premises described in subsections (c), (d), and (e) is subject to any other applicable alcoholic beverage provisions under the Indiana Code and any rule adopted to implement any other applicable alcoholic beverage provisions under the Indiana Code.

(g) A lease and contract may prescribe other terms and conditions



- 1 that the department considers necessary and advisable to carry out the
2 intent and purposes of this chapter.

